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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ECOMARES INCORPORATED,

Plaintiff,

v.

ANGELINA OVCHARIK,

Defendant.

3:06-CV-102-BES-VPC

ORDER

Before the Court is the Report and Recommendation of the United States Magistrate Judge (#162) ("Recommendation") entered on June 18, 2008, in which the Magistrate Judge recommends that this Court enter an order granting Defendant's Motion for Order to Show Cause (Doc #152) and that Plaintiff's complaint be dismissed with prejudice, and that the Defendant be awarded attorney's fees and costs expended in preparing for the Rule 30(b)(6) deposition. It was further recommended that Defendant submit a statement of attorney's fees and costs for those legal services pursuant to LR 54-16. No objection to the Report and Recommendation has been filed.

I. DISCUSSION

This Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(b)(1) (2005). Further, under 28 U.S.C. § 636(b)(1), if a party makes a timely objection to the magistrate judge's recommendation, then this Court is required to "make a de novo determination of those

1 portions of the [report and recommendation] to which objection is made.”¹ Id. Nevertheless,
2 the statute does not “require[] some lesser review by [this Court] when no objections are filed.”
3 Thomas v. Arn, 474 U.S. 140, 149–50 (1985). Instead, under the statute, this Court is not
4 required to conduct “any review at all . . . of any issue that is not the subject of an objection.”
5 Id. at 149. Similarly, the Ninth Circuit has recognized that a district court is not required to
6 review a magistrate judge’s report and recommendation where no objections have been filed.
7 See United States v. Reyna-Tapia, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard
8 of review employed by the district court when reviewing a report and recommendation to which
9 no objections were made); see also Schmidt v. Johnstone, 263 F.Supp. 2d 1219, 1226 (D.
10 Ariz. 2003) (reading the Ninth Circuit’s decision in Reyna-Tapia as adopting the view that
11 district courts are not required to review “any issue that is not the subject of an objection.”).
12 Thus, if there is no objection to a magistrate judge’s recommendation, then this Court may
13 accept the recommendation without review. See e.g., Johnstone, 263 F.Supp. 2d at 1226
14 (accepting, without review, a magistrate judge’s recommendation to which no objection was
15 filed).

16 In this case, Plaintiff has not filed an objection to the Magistrate Judge’s Report and
17 Recommendation. Although no objection was filed, this Court has reviewed the Report and
18 Recommendation, and accepts it. Accordingly,

19 IT IS THEREFORE ORDERED that the Magistrate Judge’s Report and
20 Recommendation (#162) entered on June 18, 2008, is adopted and accepted without
21 modification. Thus, in accordance with the Report and Recommendation,

22 IT IS HEREBY ORDERED that Defendant’s Motion for Order to Show Cause (Doc
23 #152) is GRANTED, and Plaintiff’s Complaint (Doc #2) is DISMISSED WITH PREJUDICE.

24 The Clerk of the Court shall enter judgment accordingly.

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¹ For an objection to be timely, a party must serve and file it within 10 days after being served with the magistrate judge’s report and recommendation. 28 U.S.C. § 636(b)(1) (2005).

1 IT IS FURTHER ORDERED that Defendant be awarded attorney's fees and costs
2 expended in preparing for the Rule 30(b)(6) deposition. The Defendant shall file a statement
3 of attorney's fees and costs for those legal services pursuant to LR 54-16 within fourteen (14)
4 days after entry of this Order.

5 IT IS SO ORDERED.

6 DATED: This 14TH day of July, 2008.

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11 UNITED STATES DISTRICT JUDGE
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